

**1. Complaint for Personal Injury  
Dated 10/16/07**

IN THE SUPERIOR COURT OF THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT KENAI

FRANK D. SACKMAN, )  
Plaintiff, )  
vs. ) Case No. 3KN-07-877 CI  
HOME DEPOT USA, INC.)  
Defendant. )

COMPLAINT FOR PERSONAL INJURY

COMES NOW Plaintiff, FRANK D. SACKMAN, through counsel, Eric Derleth of the law firm of ROBINSON & ASSOCIATES, and for his claim of relief against the above-named defendant, alleges:

I.

Plaintiff, FRANK D. SACKMAN, is a resident of the State of Alaska, residing in Nikiski, Alaska.

II.

Defendant, HOME DEPOT USA, INC., was a corporation duly organized under the laws of the State of Delaware, engaged in the operation of retail home improvement centers, registered to do business in the State of Alaska.

III.

On or about April 19, 2007, while a customer on the premises of Defendant's Home Depot store located in Kenai, Alaska, Plaintiff SACKMAN was receiving help from a Home Depot employee in order to load items Plaintiff purchased, when the Home Depot employee cut the band on a group of doors which suddenly released

1 the doors which knocked Plaintiff down and fell on top of him;  
2 and, Plaintiff was physically injured as a result.

3 IV.

4 Defendant has duties to its customers, including ensuring  
5 that the premises are reasonably safe for customers.

6 V.

7 Defendant through its employee breached the duty to maintain  
8 its premises safely when the employee cut the doors loose which  
9 caused them to knock Plaintiff SACKMAN down and land on him.

10 VI.

11 As a direct and proximate result of Defendant's negligence,  
12 Plaintiff became lame and sore, has experienced emotional  
13 distress, pain, suffering, and physical injuries all to his  
14 damage in a sum in excess of \$50,000, the more precise amount to  
15 be proven at trial.

16 VII.

17 As a direct and proximate result of Defendant's negligent  
18 conduct, Plaintiff has incurred reasonable and necessary medical  
19 and other expenses which will be proven at trial.

20 WHEREFORE, Plaintiff prays as follows:

21 A. For judgment against Defendant HOME DEPOT USA, INC. for  
22 reasonable medical, doctor, physical therapy, and other economic  
23 damages, and for physical and emotional pain and suffering, and  
24 other non-economic damages, for injuries and other losses in an  
25 amount in excess of \$50,000, the more precise amount to be proven  
26 at trial, together with costs, disbursements, and interest;

- 1           2.     For reasonable costs and attorney's fees; and  
2           3.     For such other relief that the court deems fair, just  
3     and equitable.

4           DATED at Soldotna, AK this 16<sup>th</sup> day of October, 2007.

5                     Respectfully Submitted,  
6                     ROBINSON & ASSOCIATES

7                     By:   
8                     Eric Berleth (#9609042)

9                     Attorneys for FRANK D. SACKMAN  
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